

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY

&

THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

WEDNESDAY, THE 28TH FEBRUARY 2007 / 9TH PHALGUNA 1928

WP(C).No. 6806 of 2007(S)

OA.306/2004 of CENTRAL ADMINISTRATIVE TRIBUNAL,ERNAKULAM BENCH
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PETITIONER:

K.KRISHNA KUMAR, S/O.N.KRISHNAN THAMPI,
HEAD TRAIN CLERK, QUILON RAILWAY STATION,
QUILON, RESIDING AT PUSHPA, TC 29/1534,
PERUNTHANNI, THIRUVANANTHAPURAM.

BY ADV. SRI.K.RAMAKUMAR
SRI.T.RAMPRASAD UNNI

RESPONDENTS:

1. UNION OF INDIA REPRESENTED BY THE GENERAL
MANAGER, SOUTHERN RAILWAY,
HEADQUARTERS OFFICE, CHENNAI.
2. THE CHIEF OPERATION MANAGER,
SOUTHERN RAILWAY, CHENNAI.
3. THE ADDITIONAL DIVISIONAL RAILWAY MANAGER,
SOUTHERN RAILWAY, THIRUVANANTHAPURAM.
4. THE SENIOR DIVISIONAL OPERATING MANAGER,
SOUTHERN RAILWAY, THIRUVANANTHAPURAM.
5. THE STATION SUPERINTENDENT,
SOUTHERN RAILWAY, KOCHUVELI, THIRUVANANTHAPURAM.

BY ADV. SMT.M.R.SREELETHA, SC, RAILWAYS

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 28/02/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

J.B.KOSHY & T.R.RAMACHANDRAN NAIR, JJ.

W.P.(C)No.6806 OF 2007

Dated 28th February, 2007

JUDGMENT

Koshy,J.

Petitioner was working as Head Train Clerk at Kochuveli in Thiruvananthapuram Division of Southern Railway. He has shown serious dereliction on duty that on 30.4.2000 he did not turn up for Census duty even though instructed well in time. This has resulted in sending other staff from TVC for census duty at KCVL. It has also come out in evidence that he did not come for duty because of the disputes regarding granting of overtime wages. After complying with the procedural formalities, a penalty of withholding of an annual increment for a period of 12 months was imposed on him. The above was confirmed by the appellate authority as well as revisional authority. The Central Administrative Tribunal by a detailed order (Ext.P4) considered the matter and found that procedural formalities were not questioned and there is no ground for interference in the imposition of the above minor penalty. We see no ground to interfere with the same in a petition under Article 227 of the Constitution of India as there is no patent illegality.

The writ petition is dismissed.

**J.B.KOSHY
JUDGE**

**T.R.RAMACHANDRAN NAIR
JUDGE**

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